

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LEONARD C. JEFFERSON,  
Plaintiff,

V.

C.A. NO. 04-44 ERIE

WILLIAM WOLFE, ET AL.,  
Defendants

PLAINTIFF'S OBJECTION TO  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

AND NOW, comes plaintiff, Leonard C. Jefferson, pro se, pursuant to the Magistrates Act, 28 U.S.C. § 636 (b)(1)(B) and (C), and Rule 72.1.4(B) of the Local Rules for Magistrates, and respectfully presents the following objection to the Magistrate Judge's Report and Recommendation (Magistrate's Report) which was filed in this action on May 15, 2006:

1. Plaintiff's sole objection is directed to section III subparagraph 4., c. of the Magistrate's Report [Document # ] which states:

The following claims set forth in Plaintiff's Amended Complaint [Document # 39] should be allowed to proceed:

c. Retaliation claim regarding Plaintiff's termination from his job as Chapel Clerk against Defendants Gamble, Snyder and McQuown; and

2. Plaintiff's objection to paragraph III, 4., c. flows from the fact that neither this, nor any other, paragraph assigns liability to Defendants Wolfe or Boeh regarding their actions, in the conspiracy to retaliate against Plaintiff, which are set forth via ¶¶ 53, 54, 55 and 56 and Exhibits "D" and "E" of Plaintiff's Third Amended Complaint [Document # 39].

WHEREFORE: Plaintiff respectfully prays this Court will eliminate the cause of Plaintiff's objection by (1) addressing Plaintiff's allegations, presented in the above-mentioned paragraphs and Exhibits, and (2) by amending the subparagraph at III, 4., c. to cause it to reflect the fact that liability has been assigned to Defendants Wolfe and Boeh due to Plaintiff's allegations that both acted in a conspiracy with others to retaliate against Plaintiff in violation of the Free Speech Clause of the First Amendment of the United States Constitution.

Respectfully submitted

*Leonard C. Jefferson*

Leonard C. Jefferson  
10745 Rt. 18  
Albion, PA. 16475-0002

Dated: May 23, 2006

CERTIFICATE OF SERVICE

I, Leonard C. Jefferson, hereby certify that a true and correct copy of the foregoing Plaintiff's Objection to Magistrate Judge's Report and Recommendation was served by first class mail on this 23rd day of May, 2006 upon the following person:

CHRISTIAN D. BAREFORD  
Deputy Attorney General  
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